

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**February 26, 2002**

## DIVISION ONE

B147028 People v. Ochoa

(Not for Publication)

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.  
Ortega, J.

B150397      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Rachel P.  
Sabrina C., a minor

The order under review is affirmed.

Mallano, J.

We concur: Ortega, Acting P.J.  
Vogel (Miriam A.), J.

B137758 City of Diamond Bar et al. (Not for Publication)  
B139902 v.  
State of California, et al.

We affirm the challenged order.

Ortega, J.

We concur: Spencer, P.J.  
Mallano, J.

DIVISION ONE (Continued)

B146907      Moehlman                      (Not for Publication)  
                 v.  
                 De La Sota, et al.

The judgment is affirmed. Respondents are entitled to their costs of appeal.

Vogel (Miriam A.), J.

We concur:    Spencer, P.J.  
                 Ortega, J.

B147770      Barry G. Florence                      (Not for Publication)  
                 v.  
                 Candice Carpenter Florence

The judgment is affirmed. Candice is awarded her costs of appeal.

Vogel (Miriam A.), J.

We concur:    Ortega, Acting P.J.  
                 Mallano, J.

B149623      Reel Good, Inc.                      (Not for Publication)  
                 v.  
                 Giants Entertainment, Inc., et al.

The appeal is dismissed. The motion for sanctions is denied. Reel Good is awarded its costs of appeal.

Vogel (Miriam A.), J.

We concur:    Ortega, Acting P.J.  
                 Mallano, J.

February 26, 2002-Continued

## DIVISION ONE (Continued)

B148261 People v. Gabor

(Not for Publication)

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

B146836      Birch et al.      (Not for Publication)  
v.  
Wald

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

DIVISION TWO

B148351 People (Not for Publication)  
v.  
Arnoldo

The judgment is affirmed.

Cooper, J. (Assigned)

We concur:   Nott, Acting P.J.  
Doi Todd, J.

February 26, 2002-Continued

## DIVISION TWO (Continued)

B150641 Silva  
v.  
Garcetti, et al.

Filed order denying petition for rehearing.

[illegible]

The judgment is affirmed.

Nott, Acting P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

B148231 People (Not for Publication)  
v.  
Villarama

The judgment is affirmed.

Nott, Acting P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

## DIVISION TWO (Continued)

B151411 People (Not for Publication)  
v.  
Young

The judgment is modified to provide that defendant is awarded 906 days of presentence custody credit consisting of 604 days of actual custody credit and 302 days of conduct credit. As modified, the judgment is affirmed. The superior court is directed to send a certified copy of an amended abstract of judgment reflecting this modification to the Department of Corrections.

Nott, J.

We concur:   Boren, P.J.  
                  Doi Todd, J.

B142782      Koretoff      (Not for Publication)  
v.  
Ballantine

We reverse the judgment entered following the trial court's order granting summary judgment in favor of Dewey, Tyre, and Rutan. We reverse the judgment entered following the jury verdicts in favor of Dewey, Tyre and Rutan on their cross-complaints, and the awards of prejudgment interest. We reverse the order awarding attorney fees to Tyre. We remand for further proceedings consistent with this opinion. Appellants shall receive costs on appeal.

Nott, J.

We concur:   Boren, P.J.  
                  Doi Todd, J.

## DIVISION TWO (Continued)

B143248      Allen      (Certified for Partial Publication)  
v.  
Allen

That portion of the further judgment dealing with The Strand residence is reversed with directions to the trial court to ascertain and dispose of any additional community interest therein. The further judgment is affirmed in all other respects. Judith is awarded her costs on appeal.

Nott, J.

We concur:   Boren, P.J.  
Doi Todd, J.

### DIVISION THREE

B151446 People (Not for Publication)  
v.  
Muangthong

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

B151418 People (Not for Publication)  
v.  
Drine

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

DIVISION THREE (Continued)

B147585      Axel Brutz et al.                      (Not for Publication)  
                 v.  
                 Calmat Company, et al.

The judgment is affirmed.

Kitching, J.

We concur:    Croskey, Acting P.J.  
                 Aldrich, J.

B143614      Ricardo Macchi                      (Not for Publication)  
                 v.  
                 Janet Jackson, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Kitching, J.

We concur:    Klein, P.J.  
                 Aldrich, J.

B153186      Los Angeles County, D.C.F.S.      (Not for Publication)  
                 v.  
                 Larry R.

The judgment is affirmed.

Kitching, J.

We concur:    Klein, P.J.  
                 Aldrich, J.

### DIVISION THREE (Continued)

B148317 People (Not for Publication)  
v.  
Decatur

The judgment is affirmed.

Kitching, J.

We concur:   Croskey, Acting P.J.  
                  Aldrich, J.

## DIVISION FOUR

B141143 Vicki M. Roberts (Not for Publication)  
v.  
Los Angeles City Fire Department et al.

The judgment (order of dismissal) is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.  
Curry, J.

B146020      Gary Dubin                                  (Certified for Publication)  
v.  
Robert Newhall Chesebrough Trust et al.

The judgment is reversed. The postjudgment order awarding attorney fees is also reversed. Costs on appeal are awarded to plaintiff.

Vogel (C.S.), P.J.

We concur: Hastings, J.  
Curry, J.



## DIVISION FOUR (Continued)

[illegible]

For the foregoing reasons, the judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Hastings, J.

[illegible]

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.  
Hastings, J.

B150400      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Brenda A.

The order is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.  
Hastings, J.

## DIVISION FIVE

B148344 People (Not for Publication)  
v.  
Sinh N. Tran et al.

The judgment is affirmed as to Maa Le. As to Sinh Tran, the clerk of the superior court is directed to prepare an amended abstract of judgment consistent with this opinion to reflect 339 days of presentence credit and to deliver that corrected abstract to the Department of Corrections. The judgment as to Sinh Tran is otherwise affirmed as modified.

Mosk, J.

We concur:   Turner, P.J.  
                      Grignon, J.

## DIVISION SIX

B151624 People (Not for Publication)  
v.  
Damian C.

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

B149518      Robison      (Not for Publication)  
v.  
Davis

The judgment confirming the arbitration award is affirmed. Costs on appeal are awarded to respondents.

Yegan, J.

We concur:    Gilbert, P.J.  
                         Coffee, J.

DIVISION SIX (Continued)

B148041 Rogovoy, et al. (Not for Publication)

v.

Miller, et al.

Fremont Compensation Insurance

The judgment (ruling on apportionment of settlement proceeds) is affirmed.  
Costs to respondents.

Perren, J.

We concur: Yegan, Acting P.J.  
Coffee, J.

B151082 People (Not for Publication)

v.

Westfall

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

DIVISION SEVEN

B149472 Los Angeles County, D.C.F.S. (Not for Publication)

v.

Sateva S.

The order is affirmed.

Lillie, P.J.

We concur: Johnson, J.  
Perluss, J.

DIVISION SEVEN (Continued)

B144946 Hyland (Not for Publication)  
v.  
Hughes Aircraft Company

The judgment is reversed, and the matter is remanded for further proceedings consistent with this opinion. Appellant to recover her costs on appeal.

Lillie, P.J.

We concur:   Johnson, J.  
                      Woods, J.

B146031      Ezzatian      (Not for Publication)  
v.  
City National Bank

The order of dismissal is affirmed. Bank is entitled to its costs on appeal.

Lillie, P.J.

We concur: Woods, J.  
Perluss, J.

B143732      Dee      (Not for Publication)  
v.  
Shutt and Agnello

The judgment is affirmed. Respondent(s) to recover costs.

Lillie, P.J.

We concur: Woods, J.  
Perluss, J.

DIVISION SEVEN (Continued)

B142814 Paul  
v.  
Friedman

Filed order denying petition for rehearing.

DIVISION EIGHT

Court convened at 9:00 A.M.

Present: Cooper, P.J., Rubin, J., Boland, J. and Emma Jean Amos, Deputy Clerk.

Each of the following:

B146788 People v. Dancy  
B149450 People v. Marcus M.  
B149959 People v. Mayorga  
B150139 DCFS v. Delvona M.  
B151589 People v. Rawashdeh  
B154896 Eugenia C. v. SCLA  
B155563 Peter B. v. SCLA

Argument waived, cause submitted.

B144535 County of Los Angeles  
v.  
Amin

Merits:

Argued by Tammy Nakada for appellant. No appearance by counsel for respondent. Cause submitted.

DIVISION EIGHT (Continued)

B147964     People  
              v.  
              Humphrey

Merits:  
Argued by Joseph F. Walsh for appellant and by Carl N. Henry, deputy attorney general, for respondent. Cause submitted.

B149449     People  
              v.  
              Moscarelli

Merits:  
Argued by Dean R. Picl for appellant and by Catherine Okawa, deputy attorney general, for respondent. Cause submitted.

B150792     O'Brien  
              v.  
              Cal Poly Foundation, Inc. et al.,

Merits:  
Argued by Sandra L. Noel-Leyva for appellant and by Christine T. Hoeffner for respondents. Cause submitted.

B146984     Medina  
              v.  
              Civil Service Commission For The city of Los Angeles

Merits:  
Argued by Ira M. Salzman for appellant and by Gregory P. Orland, deputy city attorney, for respondent. Cause submitted.

B149385     Buckner  
              v.  
              Tamarin

Merits:  
Argued by Kathleen D. Marrero for appellant and by Robert C. Eroen for respondent. Cause submitted.

DIVISION EIGHT (Continued)

B153180     Jeffer, Mangels, Butler, Marmaro  
               v.  
               Reiff

Merits:

Argued by Nelson Chase for appellant and by Richard McDonald for respondent. In open court, counsel for appellant is given 10 days to file a letter brief and respondent shall have 5 days thereafter to respond. The matter will be submitted upon the filing of the last brief.

B148289     Iberti  
               v.  
               Brown

Merits:

Argued by Lawrence W. Chamblee for appellant and by Rubin Turner for respondent. Cause submitted.

B131268     Post  
               v.  
               Turner et al.

Oral argument continued to March 26, 2002 at 9:00 a.m.

B141282     Arlok  
               v.  
               Ameritech et al.

Oral argument continued to March 26, 2002 at 9:00 a.m.

B148159     People  
               v.  
               Faniel

Oral argument continued to March 26, 2002 at 9:00 A.M.

DIVISION EIGHT (Continued)

B146608     American Privacy  
              v.  
              Research & Technology

Oral continued to March 26, 2002 at 9:00 A.M.

Court recessed at 11:55 A.M.

Court reconvened at 1:00 P.M.

Present: Cooper, P.J., Rubin, J., Boland, J. and Emma Jean Amos, Deputy Clerk.

B150640     Madera  
              v.  
              City of Long Beach et al.

Appearances:  
Belinda R. Mayes for respondent. No appearance by counsel for appellant.  
Argument waived, cause submitted.

B146767     People  
              v.  
              Green

Merits:  
Argued by Jeralyn Keller for appellant and by Rama R. Maline, deputy  
attorney general, for respondent. Cause submitted.

B150763     Los Angeles County, D.C.F.S.  
              v.  
              Goldy L.  
              In re Sterling M.

Merits:  
Argued by Steven Schartz for appellant, by Pamela S. Landeros, deputy  
county counsel, for respondent and by Melissa Chatin for minor. Cause  
submitted.



DIVISION EIGHT (Continued)

B144494     Clark  
              v.  
              Walmart Stores, Inc. et al.

Merits:  
Argued by Vip Bhola for appellant and by Deborah J. Muns-Park for respondent. Cause submitted.

B148461     Potter  
              v.  
              Daewoo Motor America, Inc., et al.

Merits:  
Argued by Richard Vergel de Dios for appellant and by David Kadue for respondents. Cause submitted.

B144965     Richotte  
              v.  
              Moon Nissan, A.I.G., Inc., et al.

Merits:  
Argued by Gary R. Carlin for appellant and by Gerda M. Roy for respondent. Cause submitted.

B147169     Al Leibovic et al.  
              v.  
              Nationwide Mutual Insurance Company

Oral argument continued to March 26, 2002 at 1:00 p.m.

B151221     Clutter  
              v.  
              Department of Motor Vehicles et al.

Merits:  
Argued by Jude Aoun for appellant and by Michelle Logan-Stern, deputy attorney general, for respondents. Cause submitted.

Court adjourned at 2:45 P.M.